

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CATALINA DAVIS,

Plaintiff

v.

CARABETTA,

Defendant

Civil Action No. 05-30112-KPN

ORDER OF DISMISSAL
October 26, 2006

NEIMAN, C.M.J.

On October 17, 2006, the clerk's office issued a notice setting the Sealed Motion for hearing on October 24, 2006, at 10:00 a.m. in Courtroom Three. In part, the notice stated "...Plaintiff and her counsel are required to appear for the hearing in person. Counsel for Defendant may appear by telephone. Failure of Plaintiff to appear in court for the hearing may result in dismissal of the action."

On October 24, 2006, Attorney Carabetta, counsel for Defendant, appeared via telephone for the hearing. Neither counsel for Plaintiff nor Plaintiff herself appeared for the hearing.

Pursuant to the court's order made at the motion hearing on October 24, 2006, it is hereby ORDERED that the above-entitled action be and hereby is dismissed for failure adequately prosecute the matter.

By the Court,

/s/ Bethaney A. Healy
Deputy Clerk